

Message Text

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ACTION ARA-14

INFO OCT-01 ISO-00 SSO-00 SS-15 EUR-12 DHA-02 SP-02
NSC-05 NSCE-00 DODE-00 CIAE-00 INR-07 NSAE-00
ACDA-07 H-01 L-03 INRE-00 PM-05 PRS-01 /075 W
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O R 152031Z AUG 77
FM AMEMBASSY SANTIAGO
TO SECSTATE WASHDC NIACT IMMEDIATE 6068
INFO AMEMBASSY ASUNCION
AMEMBASSY BRASILIA
AMEMBASSY BUENOS AIRES
AMEMBASSY LA PAZ
AMEMBASSY LIMA
AMEMBASSY MONTEVIDEO
AMEMBASSY QUITO

C O N F I D E N T I A L SECTION 1 OF 3 SANTIAGO 6676

E.O. 11652: GDS
TAGS: OTRA SHUM PINT PGOV (TODMAN, TERENCE), CI
SUBJECT: TODMAN VISIT: SECOND DAY IN SANTIAGO

REF: BUENOS AIRES 6007

1. SUMMARY: THIS MESSAGE REPORTS MEETINGS AUGUST 12
WITH DEFENSE, JUSTICE AND INTERIOR MINISTERS, WITH
SUPREME COURT PRESIDENT AND WITH THREE EX-PRESIDENTS.
THE MAJOR THEMES WERE THREAT FROM PERU (AND SOVIETS),
HUMAN RIGHTS AND THE RETURN TO CONSTITUTIONALITY. FREI
WAS THE ONLY STRONGLY CRITICAL VOICE ALTHOUGH OTHERS
POINTED OUT WHERE THEY DISAGREED WITH PAST OR PRESENT
POLICY. THE MOST SURPRISING NEW INFORMATION TO EMERGE
FROM THESE MEETINGS WAS THE STATEMENT BY INTERIOR
SECRETARY BENAVIDES THAT THE PROCESS OF ISSUING NEW
IDENTITY CARDS (WHICH GOC SAYS IS REQUIRED BEFORE NEW
ELECTORAL ROLLS CAN BE COMPLETED) WOULD BE COMPLETED
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IN 1978. DEFENSE MINISTER BRADY'S NON-COMMITTAL
RESPONSE TO AN IMPLIED SUGGESTION BY SECRETARY TODMAN THAT
CHILE GRANT BOLIVIA A CORRIDOR WITHOUT COMPENSATING
LAND FROM BOLIVIA MAY ALSO PREVIEW A CHANGE IN THE
GOC'S PUBLIC POSITION. JUSTICE MINISTER MADARIAGA
GAVE HER PERSONAL OPINION THAT CARLOS LAZO AND ERICH
SCHNAKE (BOTH SERVING LONG PRISON TERMS) SHOULD BE

EXCHANGED FOR POLITICAL PRISONERS ELSEWHERE. THE MAJOR EVENT OF THE DAY WAS THE ANNOUNCEMENT THAT DINA HAD BEEN ABOLISHED, THE TIMING OF WHICH WAS APPARENTLY DESIGNED TO SET STAGE FOR LATE AFTERNOON MEETING WITH PRESIDENT PINOCHET (SANTIAGO 6642). THERE WAS A NOISY BUT PEACEFUL DEMONSTRATION IN BEHALF OF DISAPPEARED PERSONS AT SUPREME COURT BUILDING. SEVEN PERSONS WERE DETAINED BUT SOON RELEASED. END SUMMARY.

2. DEFENSE MINISTER BRADY EXPOUNDED AT LENGTH ON CHILE'S SECURITY CONCERNS VIS-A-VIS PERU: THE LONG TERM OBJECTIVES OF THE SOVIET UNION IN LATIN AMERICA; PERUVIAN REVANCHISM, THE FACT THAT THE US HAD HELPED TO MAINTAIN ARMS EQUILIBRIUM UNTIL 1973, BUT THAT AT PRESENT PERU HAS ACCESS TO ARMS AND TRAINING FROM MANY SOURCES WHILE CHILE IS LARGELY CUT OFF. HE DESCRIBED PERUVIAN FORCES IN SOUTHERN PERU AS "TIGHTLY COILED SPRING" AND ASSERTED THAT THERE IS REAL DANGER OF WAR IN 1979. BRADY DISCUSSED BOLIVIAN OUTLET PROBLEM IN CONTEXT OF CHILE/PERU RELATIONS, SAYING PERU HAD REJECTED CHILE'S SINCERE PROPOSALS.

3. ASSISTANT SECRETARY TODMAN TOLD BRADY HE UNDERSTOOD CHILEAN POSITION AND WORRIES AND SAID PERUVIANS HAD BEEN MADE AWARE OF US CONCERNS. TODMAN REFERRED TO THE RIO TREATY AND
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SAID THE US WOULD REACT. HE EXPLAINED US ARMS SALES POLICY IN REGION AND POINTED OUT THAT CONGRESSIONAL LIMITS ON ARMS SALES TO CHILE WERE THE RESULT OF BELIEF IN US THAT THE GOC HAD NOT DONE ENOUGH IN AREA OF RESPECT FOR HUMAN RIGHTS.

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C O N F I D E N T I A L SECTION 2 OF 3 SANTIAGO 6676

HE SAID IT WAS IMPORTANT THAT THE GOC EXPLAIN
CLEARLY TO VISITING CODELS NEXT WEEK ITS PLANS
FOR TRANSITION. ON THE BOLIVIAN OUTLET PROBLEM
TODMAN SAID HE UNDERSTOOD THAT BOLIVIAN HESITANCY IN
ACCEPTING EARLIER CHILEAN OFFER OF CORRIDOR WAS
BELIEVED BASED ON REQUIREMENT FOR COMPENSATING TERRITORY
FROM BOLIVIA. HE WONDERED IF THIS COULD NOT BE MODIFIED.
BRADY INSTEAD OF REACTING EMOTIONALLY WAS NONCOMMITTAL.

4. SUPREME COURT PRESIDENT EYZAGUIRRE MADE FAVOR-
ABLE COMPARISONS BETWEEN CONTINUITY OF PERSONNEL
IN THE JUDICIARY BEFORE AND AFTER SEPTEMBER 1973
IN CHILE WITH OTHER NEIGHBORING COUNTRIES NOW UNDER
MILITARY CONTROL. HE STRESSED INDEPENDENCE OF THE
JUDICIARY.

5. EYZAGUIRRE TOUCHED ON THREE POINTS WHICH HE
KNEW WOULD BE OF INTEREST. REGARDING THE STATE
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OF SIEGE, HE BELIEVES IT HAS GONE ON TOO LONG AND
HAS SAID SO TO PINOCHET. REGARDING THE DISAPPEARED,
HE ACKNOWLEDGED VERY LOW NUMBERS (100 PLUS) AND
GAVE THE USUAL EXPLANATIONS FOR WHY THE MUCH LONGER
LISTS ARE INACCURATE--FICTITIOUS NAMES, VOLUNTARY
EXILES OR RUNAWAYS, ETC. REGARDING THE ROLE OF THE
COURTS, EYZAGUIRRE POINTED OUT THE LONG TRADITION
IN CHILEAN LEGAL PRACTICE THAT PREVENTS THE JUDICIARY
FROM CARRYING OUT MANY OF ITS NORMAL FUNCTIONS DURING
A STATE OF EMERGENCY.

6. IN RESPONSE TO SECRETARY TODMAN'S QUESTION "HOW
THEN CAN JUSTICE BE OBTAINED" EYZAGUIRRE HARKED
BACK TO HIS EFFORTS TO PERSUADE HIS FELLOW JUSTICES
THAT THE SUPREME COURT HAD THE LEGAL RESPONSIBILITY
FOR REVIEWING ALL JUDICIAL DECISIONS, EVEN THOSE OF

MILITARY TRIBUNALS--A POSITION THAT WAS NOT SUSTAINED. HE SAID HE HAD URGED PINOCHET TO PLACE RESTRICTIONS ON DINA'S NONACCOUNTABILITY, AND CLAIMED PINOCHET HAD DONE SO. HE ACKNOWLEDGED THAT THE EXECUTIVE BRANCH HAD NOT GIVEN A SATISFACTORY ACCOUNTING FOR DISAPPEARED PERSONS.

7. JUSTICE MINISTER MADARIAGA PRESENTED INITIAL STATEMENT DESIGNED TO PUT THE GOC LEGAL/JUDICIAL SYSTEMS IN BEST POSSIBLE LIGHT. MADARIAGA REFERRED TO "CONSTRUCTION OF NEW CONSTITUTIONALITY" AND TO THE GOAL OF "OBJECTIVE AND IMPERSONAL LAWS". SHE ARGUED THAT PRESENT REGIME HAD ALREADY EXTENDED PROTECTION OF INDIVIDUAL RIGHTS BEYOND THOSE PREVIOUSLY EXISTING.

8. TODMAN ASKED MADARIAGA HOW SHE SQUARED HER CONFIDENTIAL

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FAVORABLE DESCRIPTION OF LEGAL PROGRESS WITH THE EXISTENCE OF THE STATE OF SIEGE. SHE POINTED OUT THAT THERE ARE NO PERSONS DETAINED UNDER STATE OF SIEGE POWERS. TODMAN THEN ASKED ABOUT VICENTE GARCIA RAMIREZ WHO DISAPPEARED IN LATE APRIL, 1977.

MADARIAGA PRODUCED LISTS OF DISAPPEARED PERSONS FROM THE RED CROSS AND THE VICARIATE AND NOTED HIS NAME DID NOT APPEAR. (COMMENT: AS MADARIAGA WELL KNEW THOSE LISTS WERE SUBMITTED IN NOVEMBER, 1976 AND EARLY 1977 RESPECTIVELY--PRIOR TO THE GARCIA DISAPPEARANCE.) TODMAN THEN ASKED ABOUT CARLOS LAZO FRIAS AND ERICH SCHNAKE SILVA BOTH OF WHOM HAVE BEEN SENTENCED AND ARE SERVING LONG PRISON TERMS. MADARIAGA SAID HER PERSONAL VIEWS WAS THAT THESE MEN, BECAUSE OF THEIR POLITICAL IMPORTANCE, SHOULD BE EXCHANGED FOR POLITICAL PRISONERS ELSEWHERE IN THE WORLD THUS CONTRIBUTING TO THE OVERALL CAUSE OF HUMAN RIGHTS.

9. EX-PRESIDENTS ALESSANDRI AND GONZALEZ VIDELA, IN SEPARATE MEETINGS, TOLD TODMAN THAT THE JUNTA AND PRESIDENT PINOCHET DO NOT INTEND TO RULE INDEFINITELY, THAT THE ANNOUNCED TIMETABLE FOR RETURN TO CIVILIAN RULE IS FLEXIBLE AND THAT EXTERNAL PRESSURE WOULD ONLY CAUSE THE MILITARY TO HOLD ON TO POWER AND DELAY THE TRANSITION TO DEMOCRATIC PROCESSES. A LITTLE "PATIENCE AND UNDERSTANDING" ON THE PART OF CHILE'S TRADITIONAL FRIENDS WOULD HAVE THE OPPOSITE EFFECT. ALESSANDRI NOTED HIS OWN OPPOSITION, EXPRESSED TO PINOCHET, TO ACTIONS AGAINST MODERATE POLITICAL PARTIES AND THE NEWS MEDIA EARLIER

THIS YEAR. GONZALEZ VIDELA TOUCHED ON THE PERUVIAN
THREAT.

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O R 152031Z AUG 77
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TO SECSTATE WASHDC NIACT IMMEDIATE 6070
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10. EX-PRESIDENT FREI PRESENTED THE ESTABLISHED
PDC POSITION: THERE IS VERY LITTLE GOOD THAT CAN BE
SAID ABOUT THIS REGIME, WHILE THERE HAS BEEN SOME
LESSENING OF THE WORST FORMS OF HUMAN RIGHTS ABUSE,
THE COUNTRY IS NOT IN ANY SENSE FREE, THE HUMAN RIGHTS
EMPHASIS OF THE CARTER ADMINISTRATION IS EXTREMELY
IMPORTANT, BUT CHILE (MUCH LESS THE PDC) DOES NOT
WANT US INTERVENTION, THE MOST IMPORTANT THING IS THAT
CHILE RETURN QUICKLY AND PEACEFULLY TO DEMOCRACY. HE
REPEATED THE ARGUMENT MADE THE PREVIOUS DAY TO
AMBASSADOR LOWENSTEIN THAT THE MISERY, HUNGER AND
INJUSTICE OF THIS REGIME PROVIDE GREAT ASSISTANCE TO
THE COMMUNIST CAUSE IN CHILE. HE WAS PARTICULARLY
CAUSTIC ABOUT THE ECONOMIC POLICIES AND CLAIMS OF
THE JUNTA. FREI ACKNOWLEDGE THAT THE ABOLITION OF
DINA MIGHT BE A FORWARD STEP. WITH REGARD TO THE
PROBLEM OF FALSE CARNETS AND THE IMPEDIMENT THIS
CONSTITUTES TO RETURN TO ELECTORAL PROCESSES, FREI
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SAID THERE HAD BEEN FALSIFICATIONS (PARTICULARLY UNDER THE UP) BUT THAT THE PINOCHET GOVERNMENT GREATLY EXAGGERATES THE SCOPE OF THE PROBLEM: THERE IS NO NEED TO DELAY THE ESTABLISHMENT OF NEW ELECTORAL REGISTRIES UNTIL 1980, IT COULD BE ACCOMPLISHED IN 6 OR 7 MONTHS.

11. INTERIOR MINISTER BENAVIDES, WHOM TODMAN SAW JUST BEFORE MEETING WITH PINOCHET, SPENT MOST OF HIS TIME EXPLAINING THE FUNCTIONS OF THE INTERIOR MINISTRY, INCLUDING ITS RESPONSIBILITY FOR SOCIAL PROGRAMS, AND THE PHILOSOPHICAL UNDERPINNINGS OF THE JUNTA'S INSTITUTIONAL PLANNING. CHILE'S MILITARY LEADERS SEEK A NEW AND PROTECTED DEMOCRACY WITH SUFFICIENT POPULAR SUPPORT TO BE ABLE TO AVOID A REPEAT OF THE ALLENDE PERIOD. BENAVIDES PASSED OUT A STUDY OF INCOME LEVELS IN ALL REGIONS OF THE COUNTRY TO EMPHASIZE THE CONCERN OF THE GOC WITH PROBLEMS OF THE POOREST.

12. FOLLOWING BENAVIDES DESCRIPTION OF THE PEACEFUL CONDITIONS IN TODAY'S CHILE, TODMAN ASKED WHY IT WAS THEN NECESSARY TO MAINTAIN THE STATE OF SIEGE. BENAVIDES DESCRIBED IT AS A PURELY PREVENTIVE MEASURE. ASKED LATER WHETHER THERE WAS ANY SERIOUS EFFORT ON THE PART OF THE SOVIETS OR CUBANS TO STIR UP TROUBLE WITHIN CHILE AT PRESENT, BENAVIDES ACKNOWLEDGE THERE WAS VERY LITTLE. TODMAN RAISED THE QUESTION OF IDENTIFICATION CARNETS AS A STEP IN RETURN TO ELECTIONS, NOTING THAT THE MATTER HAD COME UP AT OTHER MEETINGS DURING THE DAY AND THAT IT WAS HARD TO UNDERSTAND WHY THE PROCESS SHOULD TAKE SO LONG. BENAVIDES MADE THE ASTONISHING STATEMENT THAT THE WORK ON ISSUING NEW CONFIDENTIAL

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IDENTITY CARDS WAS WELL ALONG AND SHOULD BE COMPLETED BY THE END OF 1978. IN ANSWER TO ANOTHER SPECIFIC QUESTION, HE SAID THAT THE NATIONAL INFORMATION CENTER, WHICH REPLACES DINA AND WILL BE LODGED IN THE INTERIOR MINISTRY (AS HAS BEEN DINA FOR ADMINISTRATIVE PURPOSES), WILL NOT HAVE ARREST AND DETENTION POWERS.

13. COMMENT: ALL THE CHILEANS PLAYED THEIR PARTS ABOUT AS EXPECTED. OF THE OFFICIAL SPOKESMEN EYZAGUIRRE, WHOSE INSTITUTIONAL POSITION SETS HIM APART IN ANY EVENT, WAS THE LEAST COMFORTABLE IN DEFENDING PRESENT POLICIES. BRADY, MADARIAGA AND BENAVIDES SHOWED NO SUCH QUALMS.

14. THE ELICITED COMMENT FROM BENAVIDES THAT ISSUANCE OF NEW IDENTITY CARNETS COULD BE COMPLETED BY THE END OF NEXT YEAR MAY PROVE VERY IMPORTANT. ONCE IDENTITY CARDS ARE ISSUED THE CONSTRUCTION OF ELECTORAL ROLES COULD FOLLOW RELATIVELY QUICKLY. EVEN IN RECENT OFFICIAL STATEMENTS THE GOC HAS CLAIMED THAT THIS PROCESS CANNOT EVEN BE INITIATED UNTIL EARLY 1979. WE WILL BE SEEKING CLARIFICATION.

15. DEFENSE MINISTER BRADY'S FAILURE TO CONTEST ASSISTANT SECRETARY'S SUGGESTION THAT CHILE NOT REQUEST COMPENSATING LAND FROM BOLIVIA IN RETURN FOR A CORRIDOR IS NOTEWORTHY IN THAT HERETOFORE GOC OFFICIALS, IN CONVERSATIONS WITH US, HAVE VEHEMENTLY INSISTED ON A TERRITORIAL SWAP.

16. MADARIAGA'S "PERSONAL" VIEWS ABOUT LINKING THE RELEASES OF LAZO AND SCHNAKE TO THAT OF COMMUNIST-HELD DISSIDENTS ON ITS FACE SEEMS AN EXAMPLE OF TOO MUCH OF A GOOD THING. THE GOC BELIEVES IT MADE MILEAGE FROM THE CORVALAN AND MONTES SWAPS AND NOW HAS AN INCENTIVE TO HOLD KEY PRISONERS. ON THE OTHER HAND, CONFIDENTIAL

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THE INCENTIVE OF A DEAL MAY BE WHAT IS NEEDED TO PERSUADE AIR FORCE COMMANDER LEIGH TO SPRING THESE FACH TRIAL VICTIMS. UNQUOTE
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MINISTERIAL VISITS, DIPLOMATIC DISCUSSIONS, MINISTER COUNSELORS, TRAVEL REPORTS
Control Number: n/a
Copy: SINGLE
Sent Date: 15-Aug-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977SANTIA06676
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770294-0330
Format: TEL
From: SANTIAGO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770861/aaaabzpm.tel
Line Count: 365
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: d72b635a-c288-dd11-92da-001cc4696bcc
Office: ACTION ARA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 7
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 77 BUENOS AIRES 6007
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 15-Nov-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1601953
Secure: OPEN
Status: NATIVE
Subject: TODMAN VISIT: SECOND DAY IN SANTIAGO
TAGS: OTRA, SHUM, PINT, PGOV, OVIP, US, CI, (TODMAN, TERENCE)
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/d72b635a-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009